

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0455 Soil & Water Conservation Commission

ACT#: 643

SECTION#: 37

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION. At the end of each fiscal year, the Chief Fiscal Officer of the State shall authorize the transfer of obligated water, sewer, and solid waste funds, as provided in the ~~2003-2005~~ 2005-2007 biennial appropriation act for the Soil and Water Conservation Commission in the appropriation entitled "WATER, SEWER AND SOLID WASTE - STATE", from the State General Services Fund Account, to the Water, Sewer and Solid Waste Revolving Fund. The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

~~DISBURSEMENTS — FORCARRYFORWARD — POLLUTION — ABATEMENT PROJECTS. Any unexpended balance of the appropriation authorized for Disbursements for Pollution Abatement Projects Construction in Item (04) of Section 18 of this Act which remains at the close of the fiscal year ending June 30, 2004 2006, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, 2005 2007. The provisions of this section shall be in effect only from July 1, 2003 2005 through June 30, 2005 2007.~~

Language to be discontinued due to the merging of this program with the Water, Waste Disposal, and Pollution Abatement program.

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~CARRYFORWARD DISBURSEMENTS FOR WATER PROJECTS. Any unexpended balance of the appropriation authorized for Disbursements for Water Projects Construction in Item (04) of Section 16 of this Act which remains at the close of the fiscal year ending June 30, 2004 2006, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, 2005 2007. The provisions of this section shall be in effect only from July 1, 2003 2005 through June 30, 2005 2007.~~

Language to be discontinued due to the merging of this program with the Water, Waste Disposal, and Pollution Abatement program.

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SECTION#: 40

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~TRANSFER PROVISION~~ CARRYFORWARD ~~Balances~~. At the end of each fiscal year, the Chief Fiscal Officer shall authorize the carry forward of funds to support the amount of obligated grants that are certified by the Soil and Water Conservation Commission for Matching Grants in the appropriation entitled "Water Quality Plan Implementation". Any unexpended balance of appropriation authorized for "Water Quality Plan Implementation" which remains at the close of the fiscal year ending June 30, ~~2004~~ 2006, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, ~~2005~~ 2007. The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

CARRYFORWARD OBLIGATED FUNDS~~TRANSFER PROVISION~~. At the end of the fiscal year, the Chief Fiscal Officer shall authorize the carry forward of funds to support the amount of obligated grants that are certified by the Soil and Water Conservation Commission for Water Quality Technicians in the appropriation entitled "Water Quality Plan Implementation". Any unexpended balance of appropriation authorized for "Water Quality Plan Implementation" which remains at the close of the fiscal year ending June 30, ~~2004~~ 2006, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, ~~2005~~ 2007. The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~DISBURSEMENTS FOR WATER, WASTE DISPOSAL, AND POLLUTION ABATEMENT PROJECTS CARRYFORWARD Unexpended Balances.~~ Any unexpended balance of the appropriation authorized for Project Disbursements in ~~Item 2 of Section 35~~ the Water, Waste Disposal, and Pollution Abatement section of this Act which remains at the close of the fiscal year ending June 30, ~~2004~~ 2006, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, ~~2005~~ 2007. The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRYFORWARD STUDY EXPENSES: Any unexpended balance of the appropriation authorized for Study Expenses in ~~Item 4 of Section 23 of the Red River Levee Rehabilitation Project section of~~ this Act which remains at the close of the fiscal year ending June 30, ~~2004~~ 2006, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, ~~2005~~ 2007. The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

~~Arkansas Code 15-23-803, concerning the Ouachita River Commission, is amended to add the following new subdivision:~~

~~(5) The Ouachita River Commission may receive and use any federal, state, or private funds, donations, or grants made available for promotion or enhancement of the recreational benefits of the Ouachita River in Dallas, Hot Spring, Clark, Ouachita, Calhoun, Union, Bradley, and Ashley Counties.~~

This language is no longer needed because the special language was permanently added to the Ouachita River Commission's authority.

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EXECUTIVE RECOMMENDATION

FUND BALANCES SOIL & WATER - CASH FUNDS AS DEFINED BY ARKANSAS CODE 19-4-801. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause the Soil & Water cash funds as defined by Arkansas Code 19-4-801 to decline below three million one hundred twelve thousand seven hundred eighty dollars (\$3,112,780), the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

- 1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.
- 2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.
- 3) the extent to which any of the planned expenditures are for one-time costs or one-time purchase of capitalized items.
- 4) a statement certifying that the expenditure of fund balances will not jeopardize the financial health of the agency, nor result

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EXECUTIVE RECOMMENDATION

in a permanent depletion of the fund balance.

(B) The Chief Fiscal Officer of the State shall review the request and approve or disapprove all or any part of the request, after having sought prior review by the Legislative Council.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

FUND BALANCES SOIL & WATER - RED RIVER WATERWAYS PROJECT TRUST FUND. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause the Soil & Water Red River Waterways Project Trust Fund as defined by Arkansas Code 19-4-801 to decline below six million three hundred seventy nine thousand five hundred ninety three dollars (\$6,379,593), the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

- 1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.
- 2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.
- 3) the extent to which any of the planned expenditures are for one-time costs or one-time purchase of capitalized items.
- 4) a statement certifying that the expenditure of fund balances will not jeopardize the financial health of the agency, nor result in a permanent depletion of the fund balance.

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(B) The Chief Fiscal Officer of the State shall review the request and approve or disapprove all or any part of the request, after having sought prior review by the Legislative Council.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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SECTION#: 47

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUND BALANCES SOIL & WATER - WASTE DISPOSAL & POLLUTION ABATEMENT FACILITY CONSTRUCTION FUND. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause the Soil & Water - Waste Disposal & Pollution Abatement Facility Construction Fund as defined by Arkansas Code 19-4-801 to decline below three million one hundred eighty two thousand one hundred fifteen dollars (\$3,182,115), the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

- 1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.
- 2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.
- 3) the extent to which any of the planned expenditures are for one-time costs or one-time purchase of capitalized items.
- 4) a statement certifying that the expenditure of fund balances will not jeopardize the financial health of the agency, nor result

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EXECUTIVE RECOMMENDATION

in a permanent depletion of the fund balance.

(B) The Chief Fiscal Officer of the State shall review the request and approve or disapprove all or any part of the request, after having sought prior review by the Legislative Council.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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SECTION#: 48

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

Elimination of this special language is requested because the Water Resources General Obligation Bond Program which is associated with this fund is being merged with the Water, Waste Disposal, and Pollution Abatement program.

~~FUND BALANCES SOIL & WATER—WATER RESOURCES DEVELOPMENT CONSTRUCTION FUND. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause the Soil & Water Water Resources Development Construction Fund as defined by Arkansas Code 19-4-801 to decline below five million eight hundred seventy thousand three hundred seventy dollars (\$5,870,370), the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:~~

- ~~1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.~~
- ~~2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.~~

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~~3) the extent to which any of the planned expenditures are for one time costs or one time purchase of capitalized items.~~

~~4) a statement certifying that the expenditure of fund balances will not jeopardize the financial health of the agency, nor result in a permanent depletion of the fund balance.~~

~~(B) The Chief Fiscal Officer of the State shall review the request and approve or disapprove all or any part of the request, after having sought prior review by the Legislative Council.~~

~~————The provisions of this section shall be in effect only from July 1, 2003 2005 through June 30, 2005 2007.~~

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0455 Soil & Water Conservation Commission

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SECTION#: NEW

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRYFORWARD. Any unexpended balance of the appropriation authorized in the Grants and Aid line item of the Water, Waste Disposal, and Pollution Abatement program of this Act which remains at the close of the fiscal year ending June 30, 2004 2006, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, 2005 2007. The provisions of this section shall be in effect only from July 1, 2003 2005 through June 30, 2005 2007.

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